

SUPPORT FOR THE AMENDMENTS

The present amendment cancels claims 1-36, and adds new claims 37-56. The new claims are supported throughout the specification and by the several Figures. No new matter has been entered.

SUGGESTED RESTRICTION REQUIREMENT

Lack of Unity – Groups of Invention

The above-identified National Stage patent application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. Therefore, Applicants respectfully suggest that the USPTO issue a Restriction Requirement restricting the currently pending claims 37-76 into the following groups of invention, consistent with 37 C.F.R. § 1.499:

I. Claims 37-56, drawn to a process for producing dichloropropanol, as classified in class 568, subclass 841.

II. Claims 57-60, drawn to a process for producing an organic compound from glycerol, as classified in class 568, subclass 700.

III. Claims 61 and 62, drawn to a process for producing dichloropropanol by reacting glycerol with a chlorinating agent comprising hydrogen chloride, which has been obtained as a by-product in organic chlorination, elimination, or substitution reaction, or by combustion or evaporation of concentrated hydrochloric acid, as classified in class 570, subclass 101.

IV. Claims 63-66, drawn to a process for producing a chlorinated organic compound in a reactor made of reaction condition resistant materials, such as ceramic and metalloceramics, as classified in class 501, subclass 1.

V. Claims 67-69, drawn to a process for producing dichloropropanol by reacting glycerol with a chlorinating agent in the presence of a catalyst based on a carboxylic acid or a carboxylic acid derivative, as classified in class 560, subclass 1.

VI. Claims 70 and 71, drawn to a process for producing epoxy resins, as classified in class 523, subclass 400.

VII. Claims 72 and 73, drawn to a process for producing a chlorinated organic compound in the presence of an organic solvent comprising heavy byproducts of the reaction, such as glycerol oligomers, for example, as classified in class 568, subclass 852.

VIII. Claims 74, drawn to a process for separating a mixture comprising at least water, dichloropropanol, and hydrogen chloride, by distillation, as classified in class 203, subclass 96.

IX. Claims 75, drawn to a pseudo-azeotropic composition consisting essentially of water, dichloropropanol, and hydrogen chloride, as classified in class 203, subclass 55.

X. Claims 76, drawn to a process for producing a pseudo-azeotropic composition comprising separating a mixture comprising at least water, dichloropropanol, and hydrogen chloride, by distillation under pressure, as classified in class 203, subclass 92.

Lack of Unity & Undue Search Burden

Inventions I-X do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical

features for the following reason: there is no technical relationship shared among all of the claimed inventions involving the same or corresponding special technical features.

There is a lack of unity *a priori* as there is no technical relationship shared among all of the claimed inventions involving the same or corresponding special technical features. See MPEP § 1850(II). For example, the reaction condition resistant reactor materials, such as ceramic and metalloceramics, of Invention IV is not common to the claims of remaining Inventions I-III and V-X. In addition, the epoxy resin of Invention VI is not common to the claims of remaining Inventions I-V and VII-X. Furthermore, the pseudo-azeotropic composition of Inventions IX and X is not common to the claims of remaining Inventions I-VIII. As a result, unity of invention is lacking in that all of Inventions I-X are not so linked as to form a single general inventive concept because there is no technical relationship shared among all of the claimed inventions involving the same or corresponding special technical features.

Furthermore, there would be an undue search burden imposed on the Examiner if restriction is not required since each of Inventions I-X require a different field of search as evidenced by their separate classification.

A prior art search of Invention II drawn to a process for producing an organic compound would vary tremendously in scope in comparison to a more focused prior art search of Inventions IV and VII drawn to a process for producing a chlorinated organic compound. On the other hand, a broad search in the prior art of Inventions IV and VII drawn to a process for producing a chlorinated organic compound would be overly inclusive for finding relevant prior art specifically directed to Inventions I, III and V, which are drawn to a process for producing dichloropropanol in particular. Invention IV drawn to a process for producing a chlorinated organic compound in a reactor made of reaction condition resistant materials would likely entail having to conduct a prior art search in an altogether different

electronic database in comparison to that required for conducting a search of Invention VII drawn to a process for producing a chlorinated organic compound in the presence of an organic solvent comprising heavy byproducts of the reaction, such as, for example, glycerol oligomers. Unlike Inventions I and V, a prior art search of Invention III would necessitate having to search for a hydrogen chloride chlorinating agent, which has been obtained as a by-product in, for example, an organic chlorination reaction.

A search in the prior art of Invention VI drawn to a process for producing epoxy resins would involve utilizing an “epoxy resin” search query term unique to Invention VI. In regard to Inventions VIII-X, although they are classified in the same class, different fields of search are required since each of Inventions VIII-X have acquired separate status in the art due to their different subclasses.

Since there is no technical relationship shared among all of the claimed inventions involving the same or corresponding special technical features, and because a prior art search of Inventions I-X would not be coextensive, each with respect to the other, because of their substantially non-overlapping claim scope and/or divergent subject matter, Applicants respectfully request that the USPTO issue, consistent with 37 C.F.R. § 1.499, a Restriction Requirement consonant with the Suggested Restriction Requirement set forth hereinabove, so as to avoid the imposition of an undue search burden on the Examiner.

REMARKS

Claims 37-56 are currently pending in the present application.

Claims 1-36 have been cancelled, and claims 37-76 have been added, to place the claims in a better format for examination on the merits.

In view of the lack unity of invention, Applicants respectfully request that the USPTO issue a Restriction Requirement in the above-identified National Stage patent application consonant with the Suggested Restriction Requirement set forth hereinabove.

In anticipation of receiving such a Restriction Requirement, Applicants provisionally elect, for examination purposes only, Invention I, encompassing claims 37-56, drawn to a process for producing dichloropropanol.

In view of the foregoing provisional election, the above-identified application is now in condition for formal examination and an Official Action on the merits is earnestly solicited.

Respectfully submitted,

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